



CITY OF HAYWARD

AGENDA REPORT

Meeting Date 9/11/03
Agenda Item 2

TO: Planning Commission

FROM: Erik J. Pearson, AICP, Associate Planner
Andrew S. Gaber, P.E., Development Review Engineer

SUBJECT: **Zone Change No. PL-2002-0722 & Vesting Tentative Tract Map 7435/PL-2002-0726 – Paul Martin for Hayward Commons, LLC (Applicant)/Evelyn Lutes (Owner) – Request to Change the Zoning From a Single-Family Residential (RSB6) District to a Planned Development (PD) District and Subdivide 1.1 Acres to Build 15 Homes**

The Project Location Is 26965 Hayward Boulevard, near Spencer Lane

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council:

1. Adopt the Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan prepared pursuant to the California Environmental Quality Act (CEQA) guidelines; and
2. Approve the zone change and the preliminary development plan subject to the attached findings and conditions; and
3. Approve the Vesting Tentative Tract Map application, subject to the attached findings and conditions.

DISCUSSION

The applicant has requested to change the zoning of the property from Single-Family Residential with a 6,000 square foot minimum parcel size (RSB6) District to a Planned Development (PD) District to allow the subdivision of the 1.1-acre parcel and construction of 15 homes. The General Plan designation for the property is Medium Density Residential (MDR), which allows for up to 17.4 dwelling units per acre. The proposed density is less than 15 units per acre.

The General Plan designation for the property was High-Density Residential and was changed to Medium Density Residential with the adoption of the Hayward Highlands Neighborhood Plan in 1998. The property was also rezoned from High Density Residential (RH) to Single-Family Residential with a 6,000 square foot minimum parcel size (RSB6). Furthermore, the neighborhood plan states that "in order to achieve the best site design possible, development applications are encouraged to be processed through the PD (Planned Development) District in order to allow either single-family detached or single-family attached development." The

applicant has requested the property be zoned PD so that 6,000 square foot lots would not be required for each detached home in order to provide housing at a density nearing the General Plan allowance.

The site is currently developed with two single-family residences served by two separate driveways from Hayward Boulevard. The two homes were built in 1932 and 1936. The older home near the street, a stucco bungalow, is in need of repair and the home at the rear of the property, a simple ranch style house, appears to be well maintained. Staff has determined that neither of the homes is architecturally or historically significant. The property is surrounded by single-family homes to the east and south and by a three-story condominium building to the west. To the north, across Hayward Boulevard, are the Hillcrest Apartments. The proposed homes are intended to create a transition between the larger single-family homes to the east and south and the condominiums to the west in terms of density and massing.

The proposed homes have been designed in a craftsmen architectural style and each home meets the architectural design guidelines applicable to single-family houses. The second floor of each unit is smaller than the first and the exterior second story side walls step in from the first floor walls. Each unit has the same floor plan, which consists of a garage and laundry on the lower level. The main level has a split level of living, dining, kitchen, half bath, and family room. The upper level has 3 bedrooms and two full bathrooms. Each building would have 1,590 square feet of living area and 428 square feet of garage. There are four elevations. End units will have a wrap-around porch and each building in a row of four houses will have a different elevation.

The proposed houses would be 26 feet tall with two exposed levels on the front elevation and approximately 31 feet tall with two levels of living area above a garage on the rear elevations. Due to grade differences between the property and the surrounding land, the roofs of the proposed houses would be approximately 11 to 21 feet lower than the roofs of the houses on Spencer Lane and the proposed roofs would range from about 3 feet higher to 9 feet lower than the roofs of the houses on Hemmingway Court. The proposed homes would be approximately the same height as the condominium building to the west. Although the City of Hayward does not have an ordinance requiring preservation of views, staff has determined that there will be no impact to the views that the surrounding homes currently have. Any impacts to privacy are expected to be minimal due to the differences in elevation and the orientation of the outdoor spaces.

The houses would be served by a single driveway running along the west property line. The buildings are proposed to be more than 10 feet from the east property line and at least 20 feet from the front and rear property lines. Each of the houses would be separated by 6 feet from side to side. The Zoning Ordinance requires a minimum setback between primary structures of 10 feet. The Planned Development District allows flexibility in this standard and the reduced separation between units is offset by two factors. First, each unit has no windows on one side of the main living area level and on the upper level, most of the windows are in the stairway where privacy may be less of an issue and in the bathtub areas where frosted glass may be preferable. Secondly, extra open space is provided for both private open space and group open space. A similar project with less than 10 feet between homes is located on Brandywine Place and Thistle Court, off University Court near Highland Elementary School. The homes are separated by 5 feet and, as indicated to staff by one of the residents of the Ridgeview development, many people

highly value having a detached home and not sharing walls with neighbors. The homes make an attractive neighborhood and staff feels that the building setbacks in this development are sufficient. The Planning Commission recently approved another project located at Winton Avenue and Alice Street. The project, not yet under construction, calls for 8 detached townhouses separated by 5 feet, 2 inches.

A minimum of 350 square feet of open space per unit or a total of 5,250 square feet is required for the project. Of the 350 square feet per unit, at least 100 square feet must be devoted to group open space. Although 1,500 square feet of group open space is required, 2,800 square feet are proposed. In addition, each of the proposed homes has a front porch and the end units have wrap-around porches. The porch, in combination with a small fenced-in front yard, would create a private open space of 250 square feet per unit. Private open space is required to be located outside the required 20-foot front yard setback. On Lots 1 through 4 approximately half of the fenced areas or 50 square feet of the private open space for each unit is located inside the 20-foot front yard setback from Hayward Boulevard. The closest point of any private open space to the front property line is 15 feet. The setback exception permitted by the Planned Development District is offset by the large amount of overall open space provided. Also, the City's single-family zoning regulations encourage front porches 15 feet from a front property line. Finally, College Heights Park, a 3.9-acre neighborhood park located at the corner of Spencer Lane and Hayward Boulevard is about 160 feet away from the project site and will provide additional recreational opportunities for residents of the project.

Each house would have a two-car garage with space for garbage and recycling containers as well as the minimum 90 cubic feet of storage space. Since the project has been classified as multi-family, the City's Off-Street Parking Regulations require 2.1 parking spaces per unit. A total of 32 parking spaces are required, 4 of which must be available to guests. The proposal includes 34 parking spaces with 4 open guest spaces at the rear of the site. There is room for one more guest parking space at the rear of the site; however, this would eliminate the adjacent group open space. Because the central group open space exceeds the minimum size, the Planning Commission may consider reducing the open space at the rear in order to provide more parking. This may be desirable because no parking is permitted on Hayward Boulevard.

The project will require the removal of 14 of the 19 trees. All of the trees to be removed have been rated as being in moderate to poor health and structure. The City's Landscape Architect found that there were no significant trees worthy of preservation. Replacement trees totaling in value equal to those removed will be planted throughout the site.

Children living at the new homes would attend Highland Elementary School (6 students), Bret Harte Intermediate School (2 students) and Hayward High School (4 students). The property is also within walking distance (about one third of a mile) to California State University Hayward.

AC Transit bus route #94 passes directly by the property and serves Downtown and the Hayward BART station where people can connect to various public transportation options serving the Bay Area. The project site is within walking distance of a neighborhood shopping center at Hayward Boulevard and Civic Avenue.

Tract Map

The proposed subdivision creates 16 parcels; 15 residential lots and 1 lot for the private roadway and common area. This parcel will be owned by the homeowners' association, who will also maintain the common entryway and driveways within the development. The proposed driveway widths are adequate for circulation and Fire Department accessibility requirements.

The formation of a Homeowners Association and the creation of Conditions, Covenants, and Restrictions (CC&R's) will be required to cover the maintenance of the private roadways and common area landscaping. The common area landscaping includes all areas except the private rear yards and the homes. The CC&R's will also contain a standard condition that if the homeowners association fails to maintain the common areas and private streets, the City of Hayward will have the right to enter the project and perform the work necessary to maintain these areas and lien the properties for their proportionate share of the costs.

There are existing utilities within Hayward Boulevard, including sanitary sewer and water, with sufficient capacity to adequately serve the proposed project. Storm drainage will be directed to a system that currently ends at the adjacent condominium project. A 5-foot wide sidewalk will be constructed along the Hayward Boulevard frontage. Currently, the sidewalk ends on either side of this property at Spencer Lane and at the condominium project.

ENVIRONMENTAL REVIEW

An Initial Study and Mitigated Negative Declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) guidelines. No significant environmental impacts are expected to result from the project, as mitigated.

PUBLIC NOTICE

On January 2, 2003, a Referral Notice was sent to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Hayward Highlands Neighborhood Task Force, the Hayward Area Planning Association, and the Old Highlands Homeowners Association.

Two neighborhood meetings were held. On January 16, 2003 approximately 13 people attended the first meeting. Neighbors raised the issues of traffic, loss of privacy, loss of views, implementation of the proposed Interface Zoning Ordinance, tree preservation, density, and people did not want to see the homes become rentals. Eleven letters and e-mails from neighbors opposing the project were received, one of which was withdrawn after further consideration of the project. Two letters in support of the project were received.

The applicant has addressed the issues of privacy and views by reducing the number of units and by reducing the height of the buildings. The plans show that the proposed homes will be 20 to 30 feet below the pads of the homes on Spencer Lane and Hemmingway Court. Regarding traffic, an analysis prepared by the City's Engineering and Transportation Division revealed that the proposal would not cause a substantial increase in traffic for Hayward Boulevard and no traffic study was required. Some neighbors expressed a desire to save trees while the residents of the

condominium building feel strongly against anything that would cast shadows on their building because the building recently had dry rot and moisture problems.

Although the proposed density is below what the Neighborhood Plan allows, many of the neighbors on Spencer and Hemmingway would prefer to see conventional single-family homes on the site. It is important to note that when the surrounding homes were built between 1980 and 1984, the zoning of the subject property was Residential-High Density (RH) and the General Plan designation was High Density Residential (HDR) allowing as many as 32 dwelling units. The RH zoning and HDR designation would have allowed twice as many dwelling units as are permitted today under the MDR designation. A neighbor attending the meeting suggested that the project should follow the standards outlined in a proposed interface zoning ordinance for Hayward Boulevard, which was included in the Hayward Highlands Neighborhood Plan. The Neighborhood Plan discusses exploring buffer zones between adjacent single-family and multiple-family districts, which would involve increasing setbacks and reducing building heights. In the case of the proposed project, the ordinance would require a 70-foot setback between the proposed homes and the RS boundary line and 25 feet between buildings. The City Council adopted Strategy 1.2 in the Plan that reads "Evaluate the need for an Interface Zoning Ordinance...." To date, this evaluation has not been included in the Planning Division's work program. Staff believes that the density proposed by this project is appropriate as it is near a major activity center (Cal State University), which depends on the availability of housing opportunities for faculty and students.

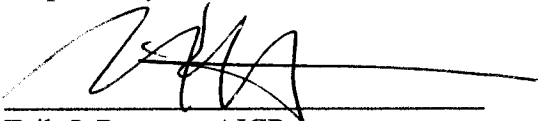
After the applicant made significant revisions to the plans in an effort to address the neighbors concerns, a second meeting was held on June 23, 2003. Approximately 10 people attended the second meeting. The number of units proposed was reduced from 18 row-house units to 15 detached units. More open space was included in the proposal and the height of the buildings was reduced. A representative from the adjacent condominium association noted that parking is already a problem and that they don't want to be impacted by overflow parking. Most of the neighbors who attended the meeting were opposed to the project and raised the same concerns raised at the first meeting.


On August 22, 2003 a legal advertisement was published in the Daily Review newspaper to notify the public of the pending application and public hearing. Also, On August 22, 2003, a Notice of Public Hearing for the Planning Commission meeting and Notice of Preparation of Environmental Document were mailed. In addition, a public notice sign was placed at the site prior to the Public Hearing to notify neighbors and interested parties residing outside the 300-foot radius.

CONCLUSION


The proposed project complies with the City's Design Guidelines, the Hillside Design Guidelines and the Hayward Highlands Neighborhood Plan. The proposal would provide much needed, high quality housing for the City of Hayward in proximity to the University.

Prepared by:


for Erik J. Pearson, AICP
Associate Planner

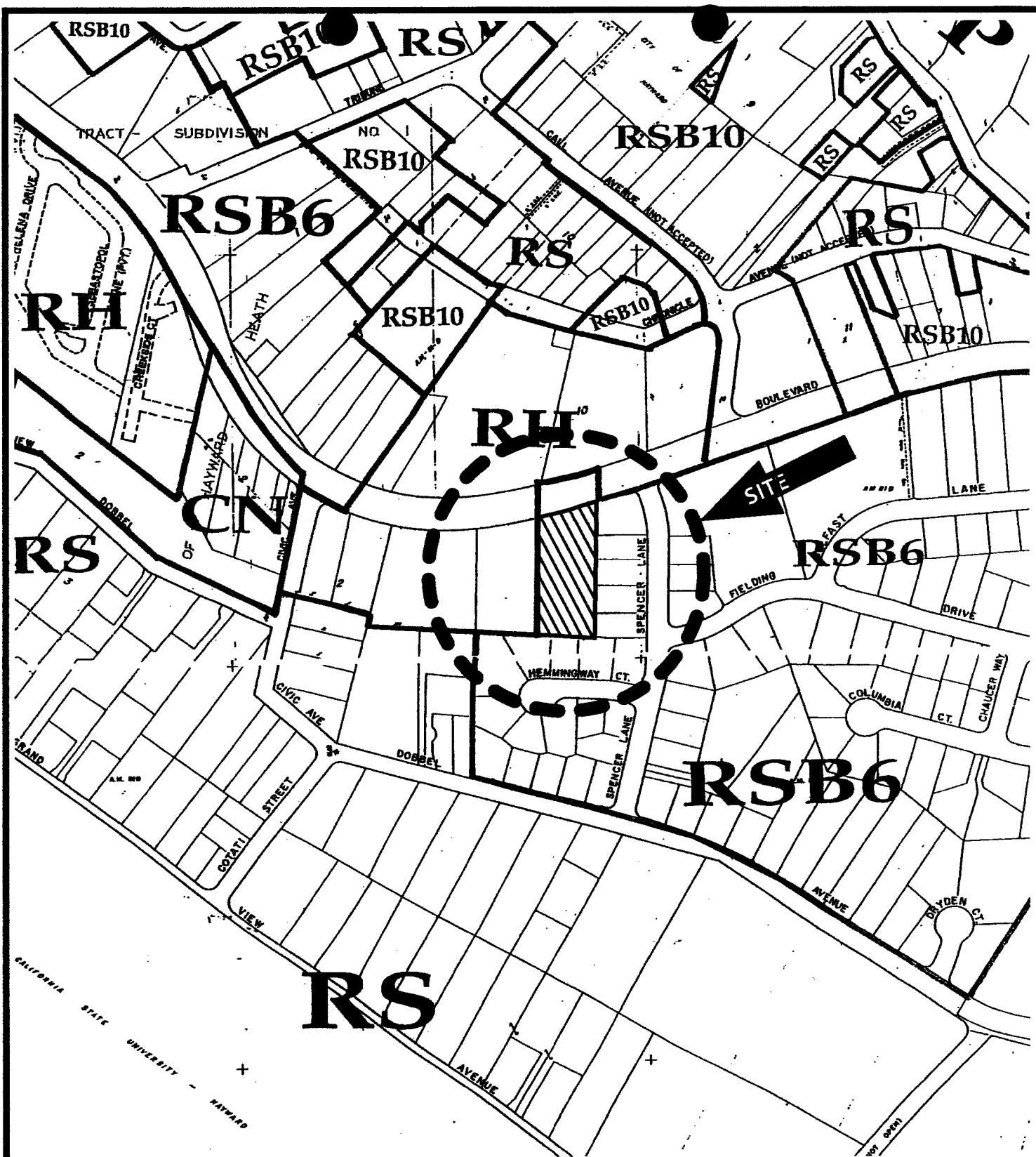

Andrew S. Gaber, P.E.
Development Review Engineer

Recommended by:


Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area & Zoning Map
- B. Findings for Approval of Zone Change Application No. PL-2002-0722
- C. Conditions of Approval for Zone Change Application No. PL-2002-0722
- D. Findings for Approval of Vesting Tentative Tract Map No. 7435 (Application No. PL-2002-0726)
- E. Conditions of Approval for Vesting Tentative Tract Map No. 7435 (Application No. PL-2002-0726)
- F. Initial Study
- G. Mitigation Monitoring Program
- H. Mitigated Negative Declaration
- I. Letters from neighbors
Plans



Area & Zoning Map

PL-2002-0772/0726 ZC/TTM7435

Address: 26965 Hayward Blvd.

Applicant: Paul Martin

Owner: Evelyn Lutes

CN-Neighborhood Commercial
 RH-High Density Residential RHB 7
 RS-Single-Family Residential,RSB4,RSB6



**CITY OF HAYWARD
PLANNING DIVISION
ZONE CHANGE APPROVAL**

September 11, 2003

ZONE CHANGE APPLICATION NO. PL-2002-0722: Request to Change the Zoning from a Residential Single-Family with a 6,000 square foot minimum parcel size (RSB6) district to a Planned Development (PD) district and Subdivide 1.1 acres and Build 15 Homes – Paul Martin for Hayward Commons, LLC (Applicant); Evelyn Lutes (Owner)

The Project Location Is 26965 Hayward Boulevard, near Spencer Lane

Findings for Approval – Preliminary Development Plan:

- A. Approval of Zone Change Application No. 2002-0223, as conditioned, will not cause a significant impact on the environment as documented in the Initial Study. A Mitigated Negative Declaration has been prepared per the California Environmental Quality Act Guidelines.
- B. The development is in substantial harmony with the surrounding area and conforms to the General Plan, the Hayward Highlands Neighborhood Plan and applicable City policies by providing housing opportunities and enhancing neighborhood quality.
- C. Existing and proposed streets and utilities will be adequate to serve the development.
- D. The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.
- E. Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards. The exceptions requested are for portions of the private open space of four units to be located within the front yard setback along Hayward Boulevard and for a reduced separation between buildings. Both exceptions are offset by the large amount of open space proposed for the site and the reduced separation is also offset by the strategic window placement.

ATTACHMENT B

Findings for Approval – Zone Change:

- F. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the Planned Development Zoning will allow the development of higher density housing which is supported by the Housing Element of the General Plan and the Neighborhood Plan;
- G. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans in that the Zoning change is consistent with the General Plan designation;
- H. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations. Fifteen homes will be built where maybe only five homes could be constructed under the current zoning.

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CONDITIONS OF APPROVAL:

1. Zone Change Application No. PL-2002-0722, is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void two years after the effective date of approval, unless prior to that time a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to the above date.
2. If a building permit is issued for construction of improvements authorized by the preliminary development plan and zone change approvals, said approvals shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the zone change approval.
3. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
5. Prior to application for a Building Permit, the following changes shall be made to the plans:
 - a) A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
 - b) Details of address numbers shall be provided. Address number shall be decorative.

ATTACHMENT C

- c) Details of retaining walls shall be included. All retaining walls shall be constructed of reinforced concrete with a decorative facing, approved by the Planning Director and the City Engineer. No retaining walls shall exceed 6 feet in height.
 - d) Show that an exterior hose bib shall be provided for each private yard or porch area.
 - e) The pavement at the driveway entries shall be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials. The location, design and materials shall be approved by the Planning Director.
 - f) Pedestrian walkways fronting the building(s) shall be enhanced with decorative materials such as inset brick, exposed aggregate, bomanite stamped concrete or other approved material.
 - g) Show that a 6-foot-high, wood, "good-neighbor" fence shall be erected along all interior property lines.
 - h) Fencing of the private front yard areas shall be no taller than 3 feet and shall be an open, picket style fence.
 - i) If mailboxes are grouped, they shall be enclosed by a structure compatible with the architecture of the dwellings.
 - j) A visual screen shall be included along the west property line to shield the occupants of the condominium building from headlights of cars driving within the project.
 - k) A lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. Exterior lighting shall be erected and maintained so that adequate lighting is provided in all common areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.
6. The Precise Plan shall be submitted for approval of the Planning Director and shall include detailed landscaping and irrigation plans for all common areas, grading and improvement plans, detailed plans for all site amenities within the common recreation areas, details for decorative paving within the private streets, details for fencing of private yards and of the perimeter, exposed retaining walls, safety railings and barricades, architectural plans with enhanced side elevations where no windows will be utilized, sign details, location and design of mailboxes, samples of colors and materials

for all exterior building finishes, and screening of all above-ground utilities, transformers and utilities.

The Precise Plan shall also include a phasing plan that establishes an orderly development pattern. The plan shall include provisions for project staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for noise and dust control, and common area landscaping. Prior to issuance of a building permit, the developer shall submit a soils investigation report for review and approval by the City Engineer.

7. All improvements shown on the Precise Plan shall be installed before occupancy of any unit within the project.
8. The approval of this preliminary development plan is tied to the approval of Vesting Tentative Map No. 7435 and the associated conditions of approval. No building permit shall be issued for any structure within this application until the City Council has approved the final map and said map is recorded.
9. The applicant or homeowners association shall maintain in good repair all fencing, parking and street surfaces, common landscaping, lighting, trash enclosures, drainage facilities, project signs, etc. Individual homeowners shall maintain in good repair the exterior elevations of their dwelling. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, the formation of a design review committee and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within seven days of occurrence.
10. Individual garbage can(s) shall be kept within the garage of each unit except upon pick-up day.
11. The garage of each unit shall be maintained for off-street parking and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors. **This requirement shall be incorporated into the CC&Rs.**
12. The open parking spaces shall be provided for and maintained as visitors' spaces and shall not be used for recreational vehicles, camper shells, boats or trailers. These spaces shall be clearly marked and monitored by the homeowners association. Parking stalls shall be used only for vehicles in operating condition. **The homeowners association shall remove vehicles parked contrary to this provision. The developer shall include in the CC&Rs authority to tow illegally-parked vehicles.**
13. The developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation. Construction equipment shall be maintained and operated in such a way as to minimize exhaust emissions. If construction activity is postponed, graded or vacant land shall immediately be revegetated.

14. Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, allowing sufficient access for reading.
15. Any transformer shall be located underground or screened from view by landscaping and shall be located outside any front or side street yard.
16. Any future modification to the approved site plan shall require review and approval by the Planning Commission.
17. Future additions to residential units are prohibited.
18. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
19. Violation of these conditions or requirements may result in the City of Hayward instituting a revocation hearing before the Planning Commission.

Landscaping:

20. Prior to the approval of improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans for all common areas shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance.
21. Landscape plans shall show that solid building walls and/or fences facing a street or driveway will be buffered with continuous shrubs or vines.
22. Minimum landscape areas shall be 5 feet in any direction. Upright trees shall be planted in the areas between the units. The size and variety of trees shall be approved by the City Landscape Architect.
23. Street Trees. City policy on street trees is one for every 25 – 40 feet of frontage depending on the variety of tree chosen. The trees should be 20' from a light pole and 5' from any utility. Trees should be about 8 to 10 feet away from the power lines along Hayward Boulevard and should be smaller tree varieties with a maximum height of 25 to 30 feet.
24. Landscape plans shall specify site amenities such as, benches, tables, fencing, play equipment and barbecues, for the common open space areas.
25. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80% of the dwelling units, whichever first occurs.
26. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, and an Irrigation Schedule shall be submitted prior to the issuance of a Certificate of Occupancy for each building.
27. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. Required street, parking lot and buffer trees that are severely topped or pruned shall be replaced immediately, as determined by the City Landscape Architect.

28. Prior to the sale of any individual unit/lot, or prior to the acceptance of tract improvements, whichever first occurs, a homeowners' association shall be created to maintain the common area landscaping and open space amenities. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover the costs of replacement and repair of all improvements shown on the approved plans.
29. Park Dedication In-Lieu Fees are required for 13 of the new dwelling units. Credit is given for the two existing units. Fees shall be those in effect at the time of issuance of the building permit.
30. A tree removal permit is required prior to the removal of any protected tree as designated in the Tree Preservation Ordinance. Replacement trees shall be required for any trees removed, equal in value to the tree(s) being removed, as determined by a certified Arborist and approved by the City Landscape Architect.
31. Prior to the issuance of a grading or building permit, the developer shall provide a tree preservation bond, surety or deposit, equal in value to the trees to be preserved. The bond, surety or deposit shall be returned when the tract is accepted if the trees are found to be in a healthy, thriving and undamaged condition. The developer shall provide an arborist's report evaluating the condition of the trees.
32. Grading and improvement plans shall include tree preservation and protection measures, as required by the City Landscape Architect. Trees shall be fenced at the drip line throughout the construction period and shall be maintained in a healthy condition throughout the construction period.
33. Decomposed granite paths shall not be used in areas with a grade of over 2%. Large areas of decomposed granite (D.G.) shall not be used unless proper methods of maintenance can be shown which will not allow weed penetration or degradation of the surface.
34. Provide self-climbing vines such as Boston Ivy on the exterior walls and retaining walls around the project.

Solid Waste & Recycling:

35. A Construction and Demolition Debris Recycling Statement must be submitted with the building permit application.
36. A Construction and Demolition Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project.
37. This approval is subject to the requirements contained in the memo from the Solid Waste and Recycling Division of the Public Works Department dated 1/10/03.

**FINDINGS FOR APPROVAL
VESTING TENTATIVE TRACT MAP 7435**

1. The approval of Vesting Tentative Map Tract 7435, as conditioned, will not cause a significant impact on the environment, as documented in the Initial Study. A Mitigated Negative Declaration has been prepared per the California Environmental Quality Act (CEQA) Guidelines.
2. The vesting tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Policies Plan, and the City of Hayward Zoning Ordinance.
3. The site is physically suitable for the proposed type of development.
4. The design of the subdivision and the proposed improvements are **not** likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are **not** likely to cause serious health problems.
6. Existing streets and utilities are adequate to serve the project.
7. None of the findings set forth in Section 64474 of the Subdivision Map Act¹ have been made.

¹ The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

**CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP 7435
26965 Hayward Boulevard**

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer's engineer shall perform all design work unless otherwise indicated.

PRIOR TO THE RECORDATION OF THE FINAL MAP

IMPROVEMENTS

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

Roadways

Public Streets

1. New sidewalk shall be installed along Hayward Blvd, extending from Spencer Lane westerly to the end of the existing sidewalk. Improvements shall conform to City Standard Details and shall be approved by the City Engineer.
2. The existing driveway curb cut shall be removed and replaced with City standard curb, gutter and sidewalk, as approved by the City Engineer.
3. A City Standard street light shall be installed along the Hayward Blvd. frontage
4. An Encroachment Permit shall be obtained from the City prior to the start of any construction within the public right of way.
5. The Developer/Contractor shall take every reasonable precaution to protect all underground electrical facilities, including those for street lights, traffic signal interconnect and traffic signal loop detectors, during construction. All existing utility facilities and improvements damaged during construction shall be completely restored at the Developers/Contractors expense and to the satisfaction of the City Engineer.

Interior Private Roadways

6. The entry roadway shall have a 20-foot-wide curb-to-curb width allowing for two 10-foot-wide travel lanes. The roadway design and cross section shall be approved by the City Engineer.
7. The private driveways shall have a minimum clear width of 26 feet and be designed with a PCC valley gutter. The valley gutter design and driveway cross-section shall be approved by the City Engineer.
8. The entry roadway curb returns shall have a minimum face-of-curb radius of 20 feet and shall include handicap ramps when adjacent to sidewalks. The street and handicap ramp designs shall be approved by the City Engineer.
9. No parking shall be allowed within the interior roadway right-of-ways. "No Parking" signs shall be installed along both sides of the entry roadway and driveways.
10. Decorative pavement e.g. interlocking pavers or stamped colored concrete, or bands of decorative paving, etc. shall be installed at the entrance and various locations within the subdivision. The Planning Director shall approve the material, color and design and the City Engineer shall approve the pavement section for the decorative paving.
11. The onsite streetlights and pedestrian lighting shall have a decorative design approved by the Planning Director and the City Engineer. The locations of the lights shall be shown on the improvement plans and shall be approved by the City Engineer.
12. Upon any necessary repairs to the facilities under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the homeowners association established to maintain the common areas within the subdivision boundary.

Storm Drainage

13. The subdivision storm drain system shall be a private system owned and maintained by the homeowners association. The existing concrete swale shall be reconstructed after installation of the storm drain pipe.
14. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff and to demonstrate that the downstream system is adequate for this additional runoff.
15. Prior to commencement of any clearing and grading or excavation resulting in a land disturbance of one (1) acre or more, the developer shall submit evidence to the City that a notice of Intent (NOI) has been submitted to the State Regional Water Quality Control Board.
16. The project plans shall include storm water pollution prevention and control measures for the operation and maintenance of the project during and after construction for review and approval of the City Engineer. The project plan shall identify Best Management Practices

(BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff. An inline treatment system may be installed along with the storm drain system, but it must include a provision for oil sorbent material to remove oil and grease from storm water runoff. The developer shall prepare a Maintenance Agreement (An example of a maintenance agreement is available on the web at: <http://www.stormwatercenter.net>) and the maintenance agreement shall be recorded with the Alameda County Records Office to ensure that the responsibility for maintenance is bound to the property in perpetuity. The developer shall also provide a statement formally transferring responsibility for maintenance and operation of the system to the Homeowners Association at the completion of the project.

As an option, the Developer may construct the entryway and private driveways out of interlocking pavers, eliminating the need for an inline treatment system for the storm drain. The design and type of pavers shall be reviewed and approved by the Planning Director and City Engineer.

17. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
18. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
19. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
20. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.

Sanitary Sewer System

21. The sanitary sewer system shall be publicly owned and maintained and designed in accordance with the City of Hayward standard details. The line shall be a minimum of 8 inches, and a manhole will be required at the end of each leg of the sewer main.
22. Onsite sanitary sewer mains shall be located 6 feet from the face of curb within the private driveway.
23. Each residential unit shall have a separate sanitary sewer lateral.
24. All existing sanitary sewer laterals that are not to be reused shall be abandoned. The laterals shall be severed at the sewer main and the wyes shall be plugged using a mechanical plug. This work shall be done by City forces and will be paid for by the

developer.

Water System

25. Water service is available subject to standard conditions and fees in effect at the time of application.
26. Water services shall be located 6 feet from sanitary sewer laterals.
27. Each residential unit shall be individually metered. The developer shall install individual radio read water meters. Meters shall be located a minimum of 2 feet from the top of driveway flares.
28. All existing water services to be abandoned shall be abandoned by turning off the corporation stop and cutting the existing line. This work shall be done by City forces at developers expense.

Fire Protection

29. Fire Department requirements shall be as follows:

- a. The private roadway and driveways shall be dedicated fire lanes and no parking of vehicles shall be allowed on either side. Red curbing will be required for the entire length of the entryway. Signs shall be posted to allow towing of illegally parked vehicles to ensure adequate fire truck access.
- b. The private roadway and driveways shall be designed and engineered to withstand 50,000 lbs. GVW of fire apparatus. In addition, where pavers or decorative concrete is being used, the installation shall also meet the same engineering and design.
- c. Building addresses shall be approved by the City for conformity and shall be on each building in a location approved by the Hayward Fire Department. Minimum size of numbers shall be 4 inch (if self-illuminated) or 6 inch on contrasting background. Addresses shall be visible from the street. Due to project layout and building setbacks, a monument sign with the addresses posted on it may be required at the street entrance to the development.
- d. One new fire hydrant shall be installed along the private driveway within the development. The type of fire hydrant shall be a double steamer, capable of flowing 1500 GPM at 20 PSI for a 2-hour duration (includes allowance granted 50 percent for fire sprinklers). The design and layout of the hydrants shall be reviewed and approved by the Fire Department prior to construction.
- e. Blue reflective pavement markers shall be installed at fire hydrant locations.
- f. Each building shall have an automatic fire sprinkler system installed in conformance with NFPA-13-D (Modified) Standards. Each such building shall have fire sprinkler protection within the garage, attic areas, under roof overhangs (greater than 4 ft projection), etc.
- g. An exterior alarm bell is required to be installed on the fire sprinkler riser for each building. The alarm bell shall activate with any sprinkler waterflow alarm activity..
- h. An interior alarm-signaling device shall be required for each individual structure. The

- alarm-signaling device shall be activated upon any waterflow alarm activity.
- i. Construction shall meet the 2001 California Building Code (CBC) and all applicable City of Hayward Ordinance and Standards.
 - j. Exiting shall comply with the CBC, Chapter 10.
 - k. Smoke detectors shall be installed in each dwelling unit. Installation of the smoke detectors shall meet the State of California Building Code and shall be hard wired electrically with battery back up.
 - l. Spark arrestors shall be installed on all chimney caps.
 - m. All windows shall be double paned.
 - n. Roofing shall meet a minimum Class A rating.
 - o. Exterior siding construction shall be of non-combustible materials.

Utilities

- 30. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, SBC (phone) Company and local cable company regulations. All facilities necessary to provide service to the dwellings, including transformers and switchgear, shall also be undergrounded.
- 31. All utilities, including water mains, located underneath decorative paving or "turf block" shall be encased in steel sleeves.
- 32. All surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed driveway or public streets shall be located outside of the sidewalk within the Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Hayward Fire Chief.
- 33. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

Dedications, Easements and Encroachment Permits

- 34. The final map shall reflect all easements needed to accommodate the public portions of the sanitary sewer and water systems. The easements shall be a minimum of 12 feet wide.
- 35. Prior to the approval of the final map, all documents that need to be recorded with the final map, shall be approved by the City Engineer and any unpaid invoices or other outstanding charges accrued to the City for the processing of the subdivision application shall be paid.

Subdivision Agreement

- 36. The developer shall execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

DURING CONSTRUCTION

37. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:

- a. Grading and construction activities shall be limited to the hours 8:00 AM to 5:00 PM on weekdays; there shall be no grading or construction activities on the weekend or national holidays;
- b. Grading and construction equipment shall be properly muffled;
- c. Unnecessary idling of grading and construction equipment is prohibited;
- d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
- e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise;
- f. The developer shall participate in the City's recycling program during construction.
- g. Daily clean up of trash and debris shall occur along all 4 peripheral streets;
- h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
- j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- l. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
- p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
- q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place;
- r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
- s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system

- through being windblown or in the event of a material spill;
 - t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See *"Building Maintenance/Remodeling"* flyer for more information;
 - u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
 - v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
38. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
39. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.

PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

40. The applicant/developer shall pay the following fees;
- a. Supplemental Building Construction and Improvement Tax;
 - b. School Tax; and
 - c. Park Dedication in-lieu fees for each unit. The amount of the fee shall be in accordance with the fee schedule in effect at the time the vesting tentative map was accepted as complete.
 - d. Water Facilities Fee and Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
41. A reduced pressure backflow preventer shall be installed behind the water meter per City of Hayward Standard Detail 202.
42. Prior to granting occupancy, water services shall be installed by City crews at the developer's expense. The application for water services shall be presented to the City Inspector.
43. Prior to the City setting the water meters, the subdivider shall provide the Water Department with certified costs covering the installation of the public water mains and appurtenances.
44. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
45. The street light electroliers shall be in operating condition as approved by the City Engineer.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

46. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
47. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
48. The improvements associated with the Pacific Gas and Electric Company, SBC (phone) company and local cable company shall be installed to the satisfaction of the respective companies.
49. The developer shall submit an "as built" plan indicating the following:
 - a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, SBC (phone) facilities, local cable company, etc; and;
 - b. All the site improvements, except landscaping species, buildings and appurtenant structures.



**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division**

INITIAL STUDY CHECKLIST FORM

Project title: Zone Change PL-2002-0722 and Tentative Tract Map 7435 (PL-2002-0726) – Request to Change the Zoning from a Residential Single-Family with a 6,000 square foot minimum parcel size (RSB6) district to a Planned Development (PD) district and Subdivide 1.1 acres and Build 15 Detached Condominiums. Paul Martin for Hayward Commons, LLC (Applicant) Evelyn Lutes (Owner).

Lead agency name and address: City of Hayward, 777 "B" Street, Hayward, CA 94541-5007

Contact persons and phone numbers: Erik J. Pearson, Associate Planner (510) 583-4210

Project location: The property is located at 26965 Hayward Boulevard, near Spencer Lane in Hayward, California.

Project sponsor's name and address:
Paul Martin
Hayward Commons, LLC
805 Fletcher Lane, Suite 1
Hayward, CA 94544

General Plan: Medium Density Residential (MDR)

Zoning: Residential Single-Family with a 6,000 square foot minimum parcel size (RS-B6)

Description of project: Proposal to subdivide 1.1 acres into 15 condominium lots and 1 common lot. Fifteen detached condominiums, each with two levels of living area above a two-car garage.

Surrounding land uses and setting: To the east and south are single-family residential homes. To the west is a three-story condominium building. To the north, across Hayward Boulevard is a multiple-family residential land use.

Other public agencies whose approval is required: None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

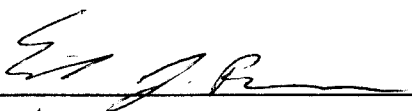
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

Erik J. Pearson, AICP Associate Planner

August 18, 2003
Date

City of Hayward

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista? <i>Comment: The project will not affect any scenic vista. Neighbors have commented that some views of San Francisco Bay would be lost. Plans indicate that the proposed houses will be lower than the condominium building on the adjacent property to the west. The applicant will erect story poles to show the height of the proposed buildings.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i>Comment: The project will not damage scenic resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? <i>Comment: The project will not substantially degrade the existing visual character or quality of the site and its surroundings.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>Comment: Specific lighting plans have not yet been reviewed. Mitigation: A lighting plan will be required to show that light fixtures will only illuminate the site and not the sky above it or surrounding properties.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i>Comment: The project site does not contain farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>Comment: The project is not located in an agricultural district nor an area used for agricultural purposes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment: The project area does not contain agricultural uses or farmland, See II b.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The project will not conflict with the Bay Area 2000 Clean Air Plan or the City of Hayward General Plan policies relating to Air Quality. | | | | |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments: The Bay Area air basin currently exceeds both federal and state standards for ozone and state standards for particulate matter <10 microns in diameter (PM10). The project is of a relatively small scale and is not expected to generate enough vehicle trips to make a significant contribution to the existing air quality violation.

Impacts: Air pollutants, especially suspended particulates, would be generated intermittently during the construction period. This is a potentially significant impact.

Mitigation Measure: In order to reduce intermittent air pollutants during the construction phase, the developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation, construction equipment is maintained and operated in such a way as to minimize exhaust emissions, and if construction activity is postponed, graded or vacant land is immediately revegetated.

Implementation of this mitigation measure will reduce air quality impacts to a level of insignificance.

Monitoring: Condition of Approval

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comment: Due to the small scale of the project, impacts to air quality will not be cumulatively considerable.

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| d) Expose sensitive receptors to substantial pollutant concentrations?
<i>Comment: The project will not expose sensitive receptors to substantial pollutant concentrations.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?
<i>Comment: The project will not create objectionable odors affecting a substantial number of people.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
<i>Comment: The property is partially developed with and surrounded by urban uses. There is no evidence of any candidate, sensitive, or special status species.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
<i>Comment: The site contains no riparian or sensitive habitat.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
<i>Comment: The site contains no wetlands.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
<i>Comment: The site does not contain habitat used by migratory fish or wildlife nor is it a migratory wildlife corridor.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
<i>Comment: The project is in conformance with the General Policies Plan and will conform to the requirements of the Tree Preservation Ordinance.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?
<i>Comment: There are no habitat conservation plans affecting the property.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: No known historical resources exist on-site.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: No known archaeological resources exist in on-site.

Impacts: If previously unknown resources are encountered during future grading activities, the developer and the City of Hayward will take appropriate measures.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: No known paleontological resources exist on-site.

- d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: No known human remains are located on-site.

Impacts: If any remains are found, all work will be stopped and police called to investigate.

VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: The project is not located within the Hayward Fault Zone.

- ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: The site is not located within a "State of California Earthquake Fault Zone". The project will be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking.

Impacts: Ground shaking can be expected at the site during a moderate to severe earthquake, which is common to virtually all development in the general region. This impact is considered less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction? <i>Comment: Liquefaction and differential compaction is not considered to be likely on this site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? <i>Comment: The project is not located within an area subject to landslides.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? <i>Comment: The Engineering Division will ensure that proper erosion control measures are implemented during construction.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i>Comment: See comment VI (a)(i).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <i>Comment: Prior to issuance of a building permit, engineering and building staff will review a soils investigation report to ensure that the building foundations are adequately designed for the soil type on-site.</i> <i>Mitigation: Prior to issuance of a building permit, the developer shall submit a soils investigation report.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? <i>Comment: The site would be connected to the City of Hayward sewer system.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? <i>Comment: There is no evidence of hazardous materials at the site nor will hazardous materials be used or transported at or near the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <i>Comment: See VII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? <i>Comment: See VII a .</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? <i>Comment: See VII a .</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? <i>Comment: The project is not located within an airport zone.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? <i>Comment: See VII e .</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i>Comment: The project will not interfere with any known emergency response plan or emergency evacuation plan. The Hayward Fire Department serves the area. Emergency response times will be maintained.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? <i>Comment: The project is not located in an area of wildlands and is not adjacent to wildlands.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?
<i>Comment: The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? <i>Comment: The site will be served with water by the City of Hayward. Therefore, water quality standards will not be violated and groundwater supplies will not be depleted. Recharge of the groundwater table will be decreased as the proposal involves increasing the percentage of the site covered with impervious surfaces. This impact is deemed insignificant as there are no known wells nearby that would see a drop in production.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? <i>Comment: The project is not located near a stream or a river. Development of the site will not result in substantial erosion or siltation on-or off-site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <i>Comment: The project is within an urban area and runoff will leave the site via the City's storm drain system. Drainage patterns on the site will not cause flooding.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <i>Comment: The amount of run-off from the project will not exceed the capacity of the stormwater drainage system. See VIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? <i>Comment: See VIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>Comment: According to FEMA Flood Insurance Rate Maps (panel # 065033-0012C dated 9/16/81), this site is not within the 100-year flood hazard area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <i>Comment: See VIII g.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | Potentially
Significant
Impact | Potentially
Significant
Unless
Mitigation
Incorporation | Less Than
Significant
Impact | No
Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

<i>Comment: The site is not within the 100-year flood zone, is not near any levees and is not located downstream of a dam.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?

<i>Comment: The project is not in a location that would allow these phenomena to affect the site.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IX. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?

<i>Comment: The project will not physically divide the existing community. The site is currently developed with two single-family residences. The construction of small detached houses will serve as a transition from the single-family homes on the south and east sides and the large condominium building on the west side.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<i>Comment: The area is designated on the General Policies Plan Map as Medium Density Residential (MDR). The MDR designation allows up to 17.4 units per acre. The proposal is for less than 15 units per acre. The current zoning designation is Residential Single-Family with a 6,000 square foot minimum parcel size (RSB6). The applicant has requested to change the zoning to a Planned Development (PD) district to allow for condominium lots.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

<i>Comment: See IV f.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. MINERAL RESOURCES – Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<i>Comment: The project will not result in a significant impact to mineral resources since the subject site is located in an urbanized area that does not contain mineral resources that could be feasibly removed.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<i>Comment: See X a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. NOISE - Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Exposure of persons to or generation of any new noise or noise levels in excess of standards established in the Noise Element of the Hayward General Plan or the Municipal Code, or applicable standards of other agencies if any, will be temporary in nature during the construction of the homes and associated improvements. All City noise standards are required to be met and maintained upon completion of construction. Grading will be limited to the hours between 7:30 a.m. and 4:30 p.m. and construction will be limited to the hours between 7:00 a.m. and 7 p.m., Monday through Saturday. No work will be done on Sundays or national holidays.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XI a.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XI a

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XI a

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VII e.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VII e.

XII. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: 15 new homes are proposed. The homes will be served by a driveway off Hayward Boulevard. No new streets will be constructed..

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <i><u>Comment:</u> Only two houses will be removed.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i><u>Comment:</u> See XII b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection? <i><u>Comment:</u> The proposed project would have no effect upon, or result in only a minimal need for new or altered government services in fire and police protection, schools, maintenance of public facilities, including roads, and in other government services.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? <i><u>Comment:</u> See XIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? <i><u>Comment:</u> See XIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? <i><u>Comment:</u> See XIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? <i><u>Comment:</u> No other public facilities will be significantly impacted.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <i><u>Comment:</u> The project will add to the number of people using College Heights Park, however the increase will not be significant enough to cause deterioration of the facility.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <i><u>Comment:</u> The proposal includes the construction of group open space, however it will not cause an adverse physical effect on the environment.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC -- Would the project:

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: According to an analysis by the City's transportation planners, the proposal will not cause a substantial increase in traffic for Hayward Boulevard and no traffic study was required.

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XV a.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project will not affect air traffic patterns.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The proposal will not substantially increase hazards.

- e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The Hayward Fire Department has reviewed the project and finds the project acceptable to Hayward Fire Department requirements and standards.

- f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The proposal meets the requirements for parking as specified in the City's Off-Street Parking regulations.

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project does not conflict with adopted policies supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project will not exceed wastewater treatment requirements.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: The City's existing wastewater treatment facilities are capable of handling the wastewater generated by the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: The project will require the re-construction of existing facilities for storm water drainage at the perimeter of the site, however, this will not cause any significant environmental effects.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>Comment: The City of Hayward supplies water to the site and has sufficient water to serve the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i>Comment: The City of Hayward operates its own wastewater facility. This facility has the capacity to accommodate the amount of wastewater that will be generated by the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i>Comment: Waste Management of Alameda County will dispose the solid waste. The Altamont landfill is available to the City of Hayward until 2009 and has sufficient capacity to handle the amount of solid waste generated by the project. The landfill recently received an approval that increases the capacity and adds 25 years to the life of the landfill to the year 2034.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>Comment: The project study area participates in the Waste Management of Alameda County recycling program. Construction and operation of the project will comply with all federal, state and local statutes and regulations related to solid waste.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

MITIGATION MONITORING PROGRAM

Zone Change PL-2002-0722
Tentative Tract Map 7435 (PL-2002-0726)
Paul Martin for Hayward Commons, LLC (Applicant)
Evelyn Lutes (Owner).

26965 Hayward Boulevard

1. AESTHETICS

Mitigation Measure: A lighting plan will be required to show that light fixtures will only illuminate the site and not the sky above it or surrounding properties.

Implementation Responsibility: Applicant

Verification Responsibility: Planning Division

Monitoring Schedule during Plan Review: Prior to issuance of building permits.

Monitoring Schedule during Construction/Implementation: Building Inspector will ensure that lights are installed per approved plan.

2. AGRICULTURE RESOURCES– *No mitigation required*

3. AIR QUALITY

Mitigation Measure: In order to reduce intermittent air pollutants during the construction phase, the developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation, construction equipment is maintained and operated in such a way as to minimize exhaust emissions, and if construction activity is postponed, graded or vacant land is immediately revegetated.

Implementation Responsibility: Applicant

Verification Responsibility: Construction Inspector

Monitoring Schedule during Plan Review: Prior to issuance of a grading permit.

Monitoring Schedule during Construction/Implementation: Construction Inspector will ensure that sprinkling is done as necessary to minimize dust.

4. BIOLOGICAL RESOURCES– *No mitigation required*

5. CULTURAL RESOURCES – *No mitigation required*

6. GEOLOGY AND SOILS

- a. **Mitigation Measure:** Prior to issuance of a building permit, the developer shall submit a soils investigation report.

Implementation Responsibility: City

Verification Responsibility: Engineering & Transportation Division of Public Works

Monitoring Schedule during Plan Review: Prior to issuance of building permits.

Monitoring Schedule during Construction/Implementation: Building Inspector will ensure that improvements are constructed per the approved report.

7. HAZARDS AND HAZARDOUS MATERIALS– No mitigation required

8. HYDROLOGY AND WATER QUALITY– No mitigation required

9. LAND USE & PLANNING– No mitigation required

10. MINERAL RESOURCES– No mitigation required

11. NOISE– No mitigation required

12. POPULATION & HOUSING – No mitigation required

13. PUBLIC SERVICES– No mitigation required

14. RECREATION– No mitigation required

15. TRANSPORTATION/TRAFFIC– No mitigation required

16. UTILITIES AND SERVICE SYSTEMS– No mitigation required



CITY OF HAYWARD MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

Zone Change No. PL-2002-0722 & Vesting Tentative Tract Map 7435/PL-2002-0726 – Request to Change the Zoning from a Single-Family Residential (RSB6) district to a Planned Development (PD) District and Subdivide 1.1 Acres to Build 15 Homes – Paul Martin for Hayward Commons, LLC (Applicant)/Evelyn Lutes (Owner). The Project Location Is 26965 Hayward Boulevard, near Spencer Lane in Hayward, California.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project could not have a significant effect on the environment.

FINDINGS SUPPORTING DECLARATION:

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources.
3. The project will not have an adverse effect on agricultural land since the property is surrounded by urban uses and it is too small to be used for agriculture.
4. The project will not result in significant impacts related to changes into air quality. When the property is developed the City will require the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any grading or building permit.
5. The project will not result in significant impacts to biological resources such as wildlife and wetlands since the site contains no such habitat and it is surrounded by urban uses.
6. The project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.

7. The project site is not located within a "State of California Earthquake Fault Zone", however, construction will be required to comply with the Uniform Building Code standards to minimize seismic risk due to ground shaking.
8. The project will not lead to the exposure of people to hazardous materials.
9. The project will meet all water quality standards. Drainage improvements will be made to accommodate storm water runoff.
10. The project is consistent with the policies of the City General Policies Plan, the Hillside Design Guidelines, the City of Hayward Design Guidelines and the Zoning Ordinance.
11. The project could not result in a significant impact to mineral resources since the site is too small to be developed to extract mineral resources.
12. The project will not have a significant noise impact.
13. The project will not result in a significant impact to public services.
14. The project will not result in significant impacts to traffic or result in changes to traffic patterns or emergency vehicle access.

I. ***PERSON WHO PREPARED INITIAL STUDY:***



Erik J. Pearson, AICP Associate Planner

Dated: August 18, 2003

II. ***COPY OF INITIAL STUDY IS ATTACHED***

For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4210, or e-mail erik.pearson@ci.hayward.ca.us.

DISTRIBUTION/POSTING

- Provide copies to all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.

Letters from Neighbors

Re: PL-2002-0722 ZC/PL-2002-0776 TTM

April 28, 2003

Mr. Erik J. Pearson, AICP
Associate Planner
City of Hayward
777 "B" St.
Hayward, CA 94541

Dear Mr. Pearson:

I am writing in support of the proposed Project at 26965 Hayward Blvd.

I have reviewed the proposed plans with the applicant and it appears to me that the architecture and the site plans are congruent, if not far superior, with other Multi-Family properties along Hayward Blvd.

I know that the Proposed Project will meet with some neighborhood objection (what project doesn't?) though I feel that this project will maximize the use of the space at a minimal impact along the main artery of the Hayward Highlands.

As a "For-Sale" Townhouse project, these 16 units will provide new opportunities for homeownership in Hayward with a minimal amount of City-required services needing to be provided. I think it makes sense for the City of Hayward to approve these types of projects along major arteries to minimize traffic impact. The city needs to increase our homeownership ratio in order to attract community-minded citizens and to reduce the problems that largely rental neighborhoods create.

Please feel free to contact me should you require any other input.

Sincerely,

Brian M. Schott
Chairman, Hayward Highlands Neighborhood Task Force
25275 Morse Ct.
Hayward, CA 94542

RECEIVED

MAR 11 2003

PLANNING DIVISION

ROBERT SAKAI

22320 Foothill Blvd. #620
Hayward, CA 94541
Telephone (510)538-6407
Fax (510)538-0150
Email rsakai538@aol.com

March 10, 2003

City of Hayward
Attn: Erik Pearson, Associate Planner
777 "B" Street
Hayward, CA 94541

RE: Tentative Tract Map 7435

Dear Erik:

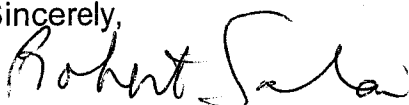
I was the Vice Chair of the Hayward Highlands Neighborhood Task Force, so I am familiar with the planning issues for the Hayward Highlands neighborhood. I have reviewed the plans for this property, and am familiar with the site and the adjoining properties.

The proposed project will fit nicely into the neighborhood since the density for this project would be between the density of development on the west side of the property and the density of the adjoining single family residences.

In addition, my recollection of the proceedings of the Hayward Highlands Neighborhood Task Force is that we voted in favor of medium density residential zoning for the undeveloped properties along Hayward Blvd in this area because of the existence of other multiple family residential developments in the area and also because of the need for additional housing to meet the needs of CSUH which is a short walk away.

Please let me know the date of any public hearings on this matter.

Sincerely,



Robert Sakai

2664 Spencer Lane
Hayward, CA 94542

(510) 733-6801

.....
Janice E. Myers

February 28, 2003

RECEIVED

MAR 04 2003

City of Hayward
Planning Commission
777 B Street
Hayward, CA 94541

PLANNING DIVISION

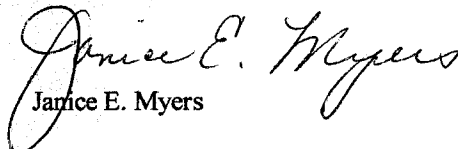
Re: Proposed development at 26965 Hayward Blvd.

Dear Commissioners,

I live in the immediate area of the above-referenced proposed development. I am withdrawing my request asking you to refuse the request of the applicant to change the current zoning from Residential Single Family.

We have been advised that this proposed development would not adversely affect our property's view and market value.

Very truly yours,


Janice E. Myers

Cc: Jesus Armas, Hayward City Manager
Sylvia Ehrenthal, Director Community and Economic Development
Mrs. Evelyn Lutes

.....

2664 Spencer Lane
Hayward, CA 94542

(510) 733-6801

.....
Janice E. Myers

January 6, 2003

RECEIVED

JAN 07 2003

Community & Economic Development

City of Hayward
Planning Commission
777 B St.
Hayward, CA 94541

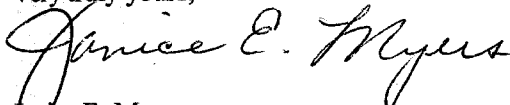
RE: Proposed development at 26965 Hayward Blvd.

Dear Commissioners,

I live in the immediate area of the above-referenced proposed development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single Family.

This proposed development would adversely affect my property's view and market value in addition to the nature of our neighborhood and directly contradicts the Hayward Highlands Neighborhood Plan as adopted by the Hayward City Council, resolution 98-033, February 24, 1998.

Very truly yours,


Janice E. Myers

Cc: Jesus Armas, Hayward City Manager

Sylvia Ehrental, Director Community and Economic Development

RECEIVED

JAN 08 2003

COMMUNITY

.....

City of Hayward
Planning Commission
777 B St.
Hayward, CA 94541

January 12, 2003

RE: Proposed development at 26965 Hayward Blvd.

Dear Commissioners,

I live in the immediate area of the above referenced proposed development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single-Family. This proposed development would adversely effect the nature of our neighborhood and directly contradict the Hayward Highlands Neighborhood Plan as adopted by the Hayward City Council, resolution 98-033, February 24, 1998. Thank you for your consideration.

Sincerely,


Katrina Doerfler, Gil Cretney

Cc: Jesus Armas, Hayward City Manager
Sylvia Ehrental, Director Community and Economic Development

Jerry Caveglia
Julie McKillop
Barbara Sachs
Barbara Halliday
Ed Bogue
Francisco Zermeno
Christopher Thnay

Erik Pearson

From: raccoon@att.net
Sent: Monday, June 23, 2003 2:38 PM
To: Erik Pearson
Cc: Andrew Gaber
Subject: PL-2002-0722ZC/PI-2002-0726 TTM Property at 26965 Hayward Blvd, Hayward, Ca.

Dear Mr. Pearson, My name is Caren Willard and I live at 26953 Hayward Blvd #205, Hayward, Ca 94542. I live in the Gardenwood II Condos. My unit faces the property at 26965 Hayward Blvd. I had planned on being at tonight's meeting but due to a long day at work and the fact that we start at job at 2:30 am, there isn't a chance of us making it tonight. I have some concerns about the proposed development on this property. I bought my unit in April 1998. One of the selling points was the trees and the serene nature of the property across from me. My concerns are 1). The parking. Will there be enough for those who live there and their guests? I am already witnessing people parking in Gardenwood IIs' (lot which is small) that are not visiting Gardenwood I or II.2). The noise. I am not too clear on where these 15 units will be or what their parking will be and what noise will be generated by cars and 15 units with how many people living there? Also right now the two homes are just perfect. 3). The construction. We work nights and sleep days. We have already endured work on our own building in the last year and going into work on 4 hours of sleep a day was really tough.4). To me 15 units is way too many to put on this little property. Also in March a Patrick Curren representing Conquest Realty came to our board meeting. The meeting was posted but there was no mention of this gentleman being there. If I known and others owners in this building there would of been more people from Gardenwood II. I think what upsets me the most is the size of the project and the fact that the trees that provide shade and privacy will be gone. Prior to this I lived on Belfast Lane in the College Heights area not far from here. I can remember the hills across from College Heights being grass and having horses on it. Before we knew it there were apartment complexes there. Please do not develop this property. Please reconsider doing this project! Thank you, Caren A. Willard 26953 Hayward Blvd #205, Hayward, Ca 94542 510-583-1684 raccoon@att.net

Erik Pearson

From: Erik Pearson
Sent: Thursday, March 13, 2003 10:29 AM
To: 'tfraas@pacbell.net'
Subject: proposal on Hayward Blvd.

Tracy,

To follow up on our conversation last week, I wanted to let you know that we have consulted with the City's Transportation Planners regarding Paul Martin's proposal for 18 or 16 units. Their conclusion is that even with the higher density of 18 units, the number of vehicle trips that would be generated does not warrant a traffic study.

Erik J. Pearson, AICP
Associate Planner
City of Hayward
(510) 583-4210
erik.pearson@ci.hayward.ca.us

3/13/2003

JAN 17 2003

RECEIVED

JAN 16 2003

Community & Economic Development

CC: Dyana
1-16-03
KR

Sylvia Ehrental
City of Hayward
Director Community and Economic Development
777 B Street
Hayward, CA 94541

January 13, 2003

RE: Proposed development at 26965 Hayward Blvd.

Dear Sylvia Ehrental,

I live in the immediate area of the above referenced development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single Family. This proposed development would adversely effect the neighborhood plan as adopted by the Hayward City Council, resolution 98-033, February 24, 1998. This neighborhood is already saturated with medium and high density developments. Please do not add another one right in our back yards!

Thank you.

Sincerely,

Diane Williams

Diane Williams
26992 Hemmingway Ct.
Hayward, CA 94542

Tim Koonze

From: Valerie Caveglia [vcave2@yahoo.com]
Sent: Wednesday, January 15, 2003 9:19 AM
To: Erik Pearson
Cc: Tim Koonze
Subject: RE: PI-2002-0722 ZC/PL-2002-0726 TTM

Dear Eric and Tim

As a former member of the Hayward Highlands Neighborhood Task Force, I am DEEPLY opposed to any rezoning that would increase the congestion along Hayward Blvd. To rezone a single family lot to a medium (?) density would be a step backwards in the progress that the task force made in sensible zoning along the Hayward Blvd. corridor. Not only that, but it sets a dangerous precedent that denser zoning is not an issue to the people who live in single family homes along the Blvd. This is not an appropriate use of the land space. More apartments, condos, etc. are not needed. I could support the building of perhaps 8 units in a set of 4 duplexes not more than 2 stories. Parking on the ground, not under the building. Thank you for this opportunity to be heard.

Sincerely,
Valerie Caveglia

Do you Yahoo!?
Yahoo! Mail Plus - Powerful. Affordable. Sign up now.
<http://mailplus.yahoo.com>

RECEIVED

JAN 15 2003

cc: Dyan
1-1503

Sylvia Ehrental
Director of Community and Economic Development
City of Hayward
777 B Street
Hayward, CA 94541

Community & Economic Development

January 13, 2003

RE: Proposed development at 26965 Hayward Blvd.

Dear Sylvia Ehrental,

I am a homeowner in the immediate area of the above referenced development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single Family. This proposed development would adversely effect the neighborhood plan as adopted by the Hayward City Council, resolution 98-033, February 24, 1998. This neighborhood is already saturated with medium and high density developments. Please do not add another one right in our back yards!
Thank you.

Sincerely,



Jim Sommer
26992 Hemmingway Ct.
Hayward, CA 94542

JAN 16 2003

REC-101-1000

JAN 14 2003

PLANNING DIVISION

City of Hayward
Planning Commission
777 B St.
Hayward, CA 94541

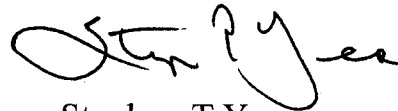
January 09 2003

RE: Proposed development at 26965 Hayward Blvd.

Dear Commissioners,

I live in the immediate area of the above referenced proposed development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single-Family. This proposed development would adversely affect the nature of our neighborhood and directly contradict the Hayward Highlands Neighborhood Plan as adopted by the Hayward City Council, resolution 98-033, February 24, 1998. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen T Yee". The signature is fluid and cursive, with the first name "Stephen" and last name "Yee" clearly distinguishable.

Stephen T Yee
2656 Spencer Lane

RECEIVED

JAN 14 2003

PLANNING DIVISION

January 12, 2003

City of Hayward Planning Commission
777 B St
Hayward, CA 94541

RE: Proposed development of 26965 Hayward Blvd

Dear Commissioners:

My property is adjacent to the property referenced above. I am very much against the proposed zoning change from Residential Single-Family. This proposed development would change the nature of our neighborhood and create additional traffic and noise. The zoning change would directly contradict the Hayward Highlands Neighborhood Plan as adopted by the Hayward City Council, resolution 98-033 of February 24, 1998. I hope you will give your full consideration to the wishes of the neighbors who will be directly affected by this development. Thank you.

Sincerely,



Paula Compton
2644 Spencer Lane
Hayward, CA 94542

cc: J. Armas, Hayward City Manager
Sylvia Ehrental, Director Community and Economic Development

Erik Pearson

From: Richard Patenaude
Sent: Tuesday, January 14, 2003 3:43 PM
To: Erik Pearson
Subject: FW: Proposed development at 26965 Hayward Blvd

-----Original Message-----

From: Joanne Burkman **On Behalf Of** Roberta Cooper
Sent: Tuesday, January 14, 2003 3:42 PM
To: Richard Patenaude
Subject: FW: Proposed development at 26965 Hayward Blvd

Richard,

fyi, Mayor Cooper has been receiving a few of these letters regarding 26965 Hayward Blvd.

Joanne x4340

-----Original Message-----

From: IALVA133@aol.com [mailto:IALVA133@aol.com]
Sent: Thursday, January 09, 2003 8:25 PM
To: Roberta Cooper
Subject: Proposed development at 26965 Hayward Blvd

Oscar & Ivonne Alvarado
2672 Spencer Lane
Hayward, CA 94542

RE: Proposed development at 26965 Hayward Blvd.

Dear Mayor,

I live in the immediate area of the above referenced proposed development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single-Family. This proposed development would adversely effect the nature of our neighborhood and directly contradict the Hayward Highlands Neighborhood Plan as adopted by the Hayward City Council, resolution 98-033, February 24, 1998. Thank you for your consideration.

Sincerely,

Oscar & Ivonne Alvarado

1/14/2003

MEMORANDUM

DATE: January 14, 2003

TO: Roberta Cooper, Mayor
Kevin Dowling, Mayor Pro Tem
Olden Henson
Joseph Hilson
Matt Jimenez
Doris Rodriquez
Bill Ward

FROM: Diane Williams, 26992 Hemmingway Court, Hayward, CA. 94542

RE: Proposed development at 26965 Hayward Blvd.

I live in the immediate area of the above referenced development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single Family. This proposed development would adversely effect the neighborhood plan as adopted by the Hayward City Council, resolution 98-033,

February 24, 1998. This neighborhood is already saturated with medium and high density developments. Please do not add another one right in our back yards!

Thank you.

Diane Williams
26992 Hemmingway Ct.
Hayward, CA 94542

Erik Pearson

From: Richard Patenaude
Sent: Tuesday, January 14, 2003 3:44 PM
To: Erik Pearson
Subject: FW: Proposed development at 26965 Hayward Blvd.

-----Original Message-----

From: Joanne Burkman **On Behalf Of** Roberta Cooper
Sent: Tuesday, January 14, 2003 3:42 PM
To: Richard Patenaude
Subject: FW: Proposed development at 26965 Hayward Blvd.

Richard,

Here's another one.

Joanne

-----Original Message-----

From: Holiday958@aol.com [mailto:Holiday958@aol.com]
Sent: Monday, January 13, 2003 3:10 PM
To: Roberta Cooper
Subject: Proposed development at 26965 Hayward Blvd.

Roberta Cooper, Mayor
City of Hayward
777 B Street
Hayward, CA 94541 January 13, 2003

RE: Proposed development at 26965 Hayward Blvd.

Dear Mayor Cooper,

I am a homeowner in the immediate area of the above referenced development. I am asking you to refuse the request of the applicant to change the current zoning from Residential Single Family. This proposed development would adversely effect the neighborhood plan as adopted by the Hayward City Council, resolution 98-033, February 24, 1998. This neighborhood is already saturated with medium and high density developments. Please do not add another one right in our back yards!
Thank you.

Sincerely,

Jim Sommer
26992 Hemmingway Ct.
Hayward, CA 94542

1/14/2003